

February 3, 2016
9 a.m. – Rayburn 2154
Congressman Gerald E. Connolly (VA-11)
Committee on Oversight and Government Reform:
“Examining Federal Administration of the Safe Drinking Water Act in Flint, Michigan”

Mr. Chairman, I appreciate this opportunity to further investigate the cascading failures of government at every level to protect the residents of Flint, Michigan, from toxic drinking water. While the city’s use of lead-laced water spanned an 18 month period, the health and economic repercussions of this tragedy will linger for years if not decades to come. But more than being just an environmental disaster, this represents a stunning breach of public trust that has its roots in the rigid philosophy that a smaller government means a more efficient government regardless of the ramifications on public health and welfare.

Multiple points along the troubling timeline in Flint deserve careful scrutiny, but let me single out just a few. Let’s start with Governor Rick Snyder’s partisan actions in 2011 to strip day-to-day management of the city from the duly elected representatives of Flint in favor of a politically-appointed bureaucrat. The law providing the governor with such unilateral power, which he exercised in other cities and agencies across the state citing improper financial management, proved so controversial that the state’s residents voted to overturn it by referendum the year after it was enacted. Undeterred, the governor and Republican-controlled legislature simply passed a new version of the law during a lame duck legislative session just weeks later preserving that conservative principle of governing by dictatorship.

After all, it was the governor’s appointed emergency managers that made the decision to switch the city’s water supply from the Detroit Water and Sewage District, which drew water from Lake Huron, to the Flint River while the city awaited completion of the connection to a new water authority that also would draw from Lake Huron. The justification at the time was that doing so would save the city roughly \$5 million. What is puzzling is that the Detroit water authority at one point came to the city with a counteroffer to maintain its business that would have produced a greater savings compared to the proposed switch to a new water authority. However, the state appointed managers rejected that offer, even overruling later attempts by the city council to switch back to the Detroit water authority. Stoking fears even further, state regulators did allow the local General Motors plant to switch back to Detroit water authority service 10 months before Flint residents ultimately switched back because the high amount of chloride used to treat the river water was corroding car parts, though there was little regard at that time for what the tainted water was doing to the insides of city residents.

Even as they pushed ahead with the questionable plan to draw water from the Flint River, state authorities knew the water would have to be treated. Yet, as we now know, they failed not only

to properly treat the water but also to properly test the quality of the water coming out of faucets in homes across the city. As one of our witnesses, Professor Edwards from Virginia Tech, has noted, this was a critical decision point. Of course, Professor Edwards knows a thing or two about this topic as he was the one to uncover similar revelations about lead contamination here in the District of Columbia water more than a decade ago. Not properly treating the water from the Flint River with a corrosion-control additive – necessary because the river’s water was riddled with more pollutants than Lake Huron – allowed rust, iron, and lead from the city’s aging water pipes to leech it the water and into homes and businesses, poisoning the entire city and eroding its basic infrastructure. The cost of applying that additive to the water supply would have been roughly \$100 a day, compared to the damage to the city’s water infrastructure, which is estimated in the hundreds of millions of dollars, to say nothing of the health and economic costs that will rack up for years to come. While the city has now been drawing water from the Detroit authority since October, it may be springtime before the water is safe to drink again as the protective anti-corrosion coating has to be restored.

To make matters worse, questions and complaints from Flint residents once the switch to river water occurred were met with dismissive and defensive responses from state authorities, particularly the Michigan Department of Environmental Quality, which has the ultimate authority for implementing safe drinking water guidelines. As my colleagues may know, I got my start in politics as the head of my local civic association in Northern Virginia, which experienced its own environmental disaster when an oil leak from the neighboring fuel tank farm contaminated our neighborhood. I was responsible for serving as the liaison between our residents and the Virginia DEQ, so I can sympathize with the residents of Flint for the skepticism with which their concerns were met at every turn. If not for the persistence of people like Ms. Walters (who is on the panel today) and her neighbors, who enlisted the help of local doctors and eventually Professor Edwards to conduct their own testing, the atrocity being committed against the people of Flint might not have come to light.

Mr. Chairman, this brings me back to what I said at the outset. The tragedy in Flint is a byproduct of an ideological preconception in which more efficient government is conflated with smaller government in the form of cutting costs. Under this philosophy, government is a hindrance and cannot be counted on to safeguard the public. It was blind adherence to such a philosophy cast aside the will of the public, and, in this case, public health. It created a situation governed by thinly-veiled social Darwinism: *The elected leadership of Flint doesn’t appear to be fit to make its own decisions, so let’s take that authority away from them. The simple residents of Flint aren’t fit to scientifically assess the quality of water coming out of their faucets, so let’s just dismiss them.* You have to ask yourself, “What could go wrong with that?” Sadly, we only have to look at the thousands of young children and their families in Flint who know their lives have been harmed irrevocably by those actions.